

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20544**

In the Matter of

Campaign for a Commercial-Free Childhood
Petition for a Declaratory Ruling that a
Program to be Aired by Nicktoons Violates the
Children's Television Act and the FCC's Rules
and Policies

MB Docket No. 10-190

DECLARATION OF KRISTEN VAN COTT

1. Skechers is a global leader in the footwear business that features more than 3,000 styles of shoes for customers of every age and demographic. In recent years, Skechers has also diversified into the entertainment business.

2. I joined Skechers USA, Inc. in 2005 as Vice President of Creative Development; since 2007, I have been employed as Senior Vice President of Creative Development. Prior to joining Skechers, I worked in creative positions at MGM, Paramount, and Disney, where I was responsible for creative development of popular animated character brands such as "Tarzan" and the "Pink Panther."

3. My duties at Skechers have included creating style guides and creative materials for licensees of the Skechers brand, serving as art director for live action commercials, and serving as a liaison to television networks and programming developers. For the last three years, I have also been responsible for the development and production of the "Zevo-3" cartoon series.

4. *Zevo-3* is a half-hour cartoon show that premiered on the Nicktoons network on October 11, 2010. The primary characters are "Z-Strap," "Kewl Breeze," and "Elastika."

5. The characters featured on *Zevo-3* were originally created by Skechers in 2006 and 2007 as comic book characters. Skechers developed a series of short comic books revolving around those characters that were distributed as giveaways or included with purchases of Skechers shoes. The plot lines of the comic books consisted of short anecdotes that generally featured “good vs. evil” or “good guys vs. bad guys” themes.

6. The comic books featuring Z-Strap, Kewl Breeze, and Elastika proved to be extremely popular with children, and Skechers received a number of requests for more content featuring those characters. Beginning in 2007, Skechers featured Z-Strap, Kewl Breeze, and Elastika in some of its commercials. Those commercials would include a brief story involving one or more of the characters, followed by a voice-over pitch for Skechers sneakers. The characters themselves did not directly encourage children to buy Skechers shoes.

7. Like the comic books, the response to commercials featuring Z-Strap, Kewl Breeze, and Elastika was overwhelmingly positive. In early 2008, Skechers decided to invest in a full-length television show featuring these characters. Skechers’ goal was to produce a family show with good entertainment value and positive messages for children; the show is seen within the company as an entertainment property, not a marketing property. To produce the new cartoon, Skechers engaged Mike Young Productions (now part of MoonScoop Group), which is a highly regarded animation studio that has received numerous awards for the children’s TV series it has produced.

8. The plot of *Zevo-3* revolves around teenagers Jason, Ellie, and Matt — the superheroes Z-Strap, Kewl Breeze, and Elastika. These three characters obtained their super powers after encountering a substance called “Zevo compound.” Z-Strap is the “master of metal,” and has the power to morph into metal objects. Elastika has “super-powered hair” made

out of a stretchy, bungee-like substance that can be used to tie up villains. Kewl Breeze is the “genius” of the group, and also has the power to harness ice and wind.

9. Skechers’ goal from the start has been to feature these popular characters in a show that is both educational and entertaining. The plot of *Zevo-3* will center on issues facing children and teenagers, such as school, jealousy, friendship, peer pressure, and family issues. One episode focuses on Z-Strap’s struggles to understand his own powers and his uncertainty about how to use those powers, as an allegory for children going through adolescence. Jason/Z-Strap also lives with his grandmother after his parents are killed by one of the show’s villains, and other episodes address issues facing children living in non-traditional families. Still other episodes will focus on issues facing multi-ethnic children.

10. Skechers is well aware of the Commission’s rules regarding advertising to children, and has taken a number of steps throughout the production process to ensure that *Zevo-3* falls comfortably within both the letter and spirit of those rules. Mr. Young helped Skechers ensure that the plot lines, artwork, and animation of *Zevo-3* were of the highest quality. Throughout the production process, Mr. Young also maintained close contact with various television networks, both to obtain feedback about the content of *Zevo-3*, and to ensure that the program was in compliance with all applicable rules regarding advertising to children.

11. The plot lines of *Zevo-3* do not center around shoes and do not include any product placement. None of the characters derive their “super powers” from their shoes. Neither the Skechers brand nor any particular Skechers products are mentioned at any point in the show, and no commercials for Skechers shoes will be aired during *Zevo-3*. And, although the characters in *Zevo-3* are based generally on the characters in the earlier comic books and

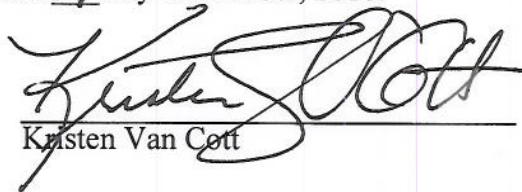
commercials, those characters have been significantly re-drawn to adapt them to a full-length television series.

12. Skechers has entered into an agreement for production of 26 episodes of *Zevo-3*. *Zevo-3* premiered on the Nicktoons network on October 11, 2010.

13. In connection with the launch of *Zevo-3* on Nicktoons, Skechers will license *Zevo-3* and its characters for inclusion in a wide variety of toys and other children's products featuring those characters.

14. I am proud to have had the opportunity to work on developing *Zevo-3*, and I believe that this program will prove to be both educational and entertaining for the children who watch it.

Pursuant to 28 U.S.C. § 1746, I, Kristen Van Cott, declare under penalty of perjury that the foregoing is true and correct. Executed on this 21st day of October, 2010.


Kristen Van Cott